HON'BLE MR JUSTICE A. GOPAL REDDY

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WRIT PETITION NO.24656 OF 1995

DATE:14.03.2006

Between:

M/s. Meghalaya Hotels Pvt. Ltd.,

Rep. By its Director G. Suresh.

..... PETITIONER

AND

The Industries & Commerce Department,

Rep. By its Secretary, Secretariat Buildings,

Hyderabad and five others.

.....RESPONDENTS

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HON'BLE MR JUSTICE A. GOPAL REDDY

W.P. No.24656 OF 1995

ORDER:

The petitioner, who established the hotel in the name of M/s. Meghalaya Hotels Pvt. Ltd., filed this Writ Petition claiming the benefits granted under G.O.Ms.No.32, dated 13.4.1994 and sought for a direction to the respondents to charge the electricity tariff at the rate applicable for industrial undertakings and not at the commercial rate.

In the counter affidavit filed by the second respondent, it is stated that the Government through G.O.Ms.No.32, Tourism, Culture, Sports and Youth Services (Tourism) Department, dated 13.4.1994 extended concessions in electricity tariff as per industrial units to the hotels, which fulfill the norms prescribed by the Government of India and Government of A.P. as ordered in the Annexure II of G.O.Ms.No.31, dated 13.4.1994. As per the said G.O., the area from sea front Visakhapatnam to Bheemili only has been notified as a special notified center, but the Visakhapatnam town has not been identified as special notified center. Since the petitioner's hotel is located in CBM compound of Visakhapatnam town, it is not eligible for concession granted in G.O.Ms.No.32, dated 13.4.1994.

In the counter affidavit, it is categorically stated that the area at which the petitioner's hotel is situated, is not notified as 'special notified center' as mentioned

in G.O.Ms.No.31. In that view of the matter, the petitioner cannot claim the benefits granted under G.O.Ms.No.32, dated 13.4.1994 in contravention to the norms prescribed under G.O.Ms.No.31, dated 13.4.1994. Hence, I see no merits in this Writ Petition.

The writ petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J

14th MARCH, 2006.

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